private property at a very alarming rate.

Private property is an extremely important element for both our freedom and our prosperity. It used to be that eminent domain was used mainly to take private property for public use. Now, according to a column in the nonpartisan National Journal, condemning private property for private use is a booming national business. The magazine gave several examples, including the taking of Randy Bailey's 27-year-old brake shop in Mesa, Arizona, for a new chain store.

This is happening in thousands of places all over the Nation. Jonathan Rauch wrote in the National Journal, ''In the last decade, it has become common for city leaders to define blighted as not developed as nicely as we would prefer or not developed by the people we would prefer. But property is held sacrosanct in America not to protect the rich and powerful, who always make out all right, but to protect the poor from the predations of the rich and powerful.''

He quoted in his column an official of the Institute for Justice, a law firm trying to protect private property owners, as saying ''this is now a major nationwide problem.''

Once again, I will say, I hope we elect more people to Federal, State and local offices who will stop taking so much private property. It sounds good for a politician to create a park, but then when that land is taken off the tax rolls, the taxes for everybody else have to keep going up. We are doing this at a very, very alarming rate, and we need to at least cut back on this.

We cannot take care of all the national parks and State parks and local parks that we have in this country today, and we need to stop taking more, or we are going to ruin our economy, and we are going to take away an important part of the freedom that we have in this Nation.

SUPREME COURT NOT FOLLOWING PRECEDENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, there have been times in this Nation's history when the United States Supreme Court was composed of distinguished jurists who were extremely cautious to avoid inserting the justices' will or desires in place of legitimate decisions and legitimate legislation. That, sadly, is no longer the case.

One of the cornerstones of an effective judicial system is fair and impartial judges and juries. At the top of that system, we have come to the point in our history when a majority of the court has come to think of themselves as error free. However, even considering oneself faultless is an inexcusable fault for a court, any court, but most especially the U.S. Supreme Court.

One does not have to be a judge or a chief justice, as I was, to know that a fundamental principle of the United States common law has been that prior court decisions have priority and control the same situation. It is called following precedent. A huge problem for all of us is that this Supreme Court cannot follow precedent.

For example, this very court ruled only 15 years ago that the sentencing guidelines were constitutional and must be followed. Now they have completely disregarded their very own precedent, even though it was their own.

Additionally, these judges, who consider themselves jurists, act in some ways like the worst form of renegades. They have disregarded the Constitution and its precedents and instead follow the fleeting whims of a daydreaming child. They cite changing opinions and evolving opinions; not about law that they have researched, oh, no; about various feelings of the general public in America that they have somehow vicariously perceived.

But even that is not all. No. Certain judges of this highest human court in the land have been reciting opinion polls, not based on legally or factually based or scientifically recognized computer protocols or data or scientifically derived information. No, these are based on their feelings of what is going on.

□ 1615

Here the U.S. Supreme Court sets itself up as the final arbiter of what is or is not accurate polling. The trouble with this is, no court, especially an appellate court, is ever supposed to have been a witness in the case it is trying. Apparently, however, the Supreme Court is the expert pollster for all who come near. Every other expert is required to be cross-examined. It is called being allowed to confront the witnesses against a party. This Court, however, places itself above such fundamental notions, even when the polling the Supreme Court has done consists figuratively of wetting its finger and sticking it into the air to try to discern which way the wind is blowing.

Though the Court has become a witness, an investigator, a pollster, a wind gauge, the Supreme Court denies the fundamental right of the parties to have due process and question the witnesses against it. The Supreme Court allows itself to go out and poll and investigate or report behind the scenes without anyone knowing. It hides behind the Constitution at the very time it is depriving the parties of their rights under the same document.

As Congressmen, we are out in our districts constantly talking, questioning, never forgetting that a constant campaign is ongoing. A good Congressman knows what his district thinks. So how dare you, Supreme Court, try to sit in Washington and lecture us on what is or is not the will of the American people. We listen to the people. We go home, and we live with the people. We get e-mails and calls and letters and visits from the people, and we do not hide in an ivory tower.

How dare you tell us about the changing will of the people. You are the last to have any idea of what the real people's attitudes are. You go try running to get elected back to the Supreme Court, and then you can come talk to us about the changing opinions in America. If you ever had to run for office, you would find out ever so quickly just what the opinion and will of the American people are.

At a recent session of the Supreme Court in which the parties argued their respective positions, one Justice, in a bit of high-brow effort to sound both intellectual and computer literate said, as I understood him, that he had been on the Internet looking for more facts about the case or about the 17 monuments involved in that case. He is so far removed from the legal profession that he does not even realize how morally wrong he is acting, or he has such great contempt for the need of a fair and partial judiciary that he is killing it and its former credibility.

Such a judge should remove himself and allow only those who are not self-made witnesses to rule. If any juror in a local case or a judge in a local case were to go out and investigate the facts of the case, the case would be thrown out. There would be a mistrial. It is one thing for a judge to investigate the law of precedent or legislative history; it is quite another for him to be a fact witness. Shame on you.

In the Supreme Court's decision regarding juvenile eligibility for the death penalty, the Court showed not only that it could not follow precedent, it could not even follow its own precedent of the same Court. The majority of judges have caused the system to be so out of whack that it flips its own rulings to and fro in a whimsical sort of destruction of civilized and constitutional jurisprudence. People must have stability through court decisions, yet we are forced to have one whose constant reversals of itself remind one more of the policy shifts of a nation that has a coup every year or so than a nation of laws. This particular Nation deserves much better for its educated people.

It should also be noted by any jurist worth his or her salt that when a court continuously cites changing opinions of the populous or a national consensus, or an evolving national standard, it is saying that the issue at hand is clearly one for the legislature. It is the legislature that has to decide issues that are based on the will or the consensus of the people, and not the judiciary.

So here is a rule of thumb: if you find yourself as a court sometime trying to discern the will of the people internationally or nationally, then leave it alone. It is not your business. It is the business of the legislature.

If part of the problem is that our Justices attend too many national conferences, then perhaps we should legislate against them attending any conferences outside the country whose Constitution they are sworn to follow. After all, when they cite international opinion that was not in existence at the time the Constitution was written, they are going beyond the legislative history. They are legislating themselves. If they want to do that, they should do as some of us who were judges have done in Congress: we left the bench and we ran for the legislature to have that opportunity.

You want to deal with the Ten Commandments? Well, you took an oath to defend the Constitution. Try the commandment that says ''thou shalt not lie.''

When our highest Court seeks international opinion on what is right or wrong, it should ask itself where international opinion was when the Nazis were killing millions of people. It should ask itself where was the international opinion when Saddam Hussein was killing thousands of his own people. Some of the sources of this international opinion they rely on were selling equipment and supplies to Saddam Hussein as he murdered people.

Friends, I have not mentioned the propriety or impropriety of the actual outcomes of these recent Supreme Court decisions, but I call to account the disgustingly subjective and arbitrary process that has been guiding this Supreme Court. The majority on the Supreme Court has figuratively been a bunch of emperors with no clothes. The few judges left on the court with judgment must find it difficult working with a bunch of naked self-crowned autocrats.

In England, devoted patriots are fond of saying, ''God save the Queen.'' In America, it is time for devoted Americans to say and to pray in earnest, ''God save us from this Supreme Court,'' and then remove those who have ceased being judges and have become the worst nightmares of our Founding Fathers.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–15)

The SPEAKER pro tempore (Mr. DENT) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice stating that the Iran emergency declared on March 15, 1995, is to continue in effect beyond March 15, 2005, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on March 12, 2004 (69 FR 12051).

The crisis between the United States and Iran constituted by the actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine Middle East peace, and acquisition of weapons of mass destruction and the means to deliver them, that led to the declaration of a national emergency on March 15, 1995, has not been resolved. These actions and policies are contrary to the interests of the United States in the region and pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and maintain in force comprehensive sanctions against Iran to respond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 10, 2005.*

REFORMING SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Colorado (Mr. BEAUPREZ) is recognized for 60 minutes as the designee of the majority leader.

Mr. BEAUPREZ. Mr. Speaker, I rise today to address this House and the people of the United States of America on a very, very timely subject: Social Security and, more specifically, the opportunity to reform Social Security. Now, recently, the President, President Bush, has been given a whole lot of credit, or blame, whichever your perspective may be, for even bringing this issue to the forefront of the American people and to this body.

I have the pleasure of serving on the Committee on Ways and Means of this House of Representatives; and, of course, it is going to be the obligation of the Committee on Ways and Means to deal with this issue and try to bring some consensus to the subject of how we might reform, fix, strengthen Social Security, an institution that has served generations of America very, very well, going back to the era of just post the Great Depression when my parents were just about to enter the working environment themselves as young adults.

So we do this with some degree of trepidation, but we also do it with a considerable sense of obligation to our children; in my case, a grandson now, knowing that an entitlement program such as Social Security that is especially critical to the survival, and I say that word advisedly, survival of so many of our senior citizens and especially the lower-income members of our senior citizen population who absolutely rely on Social Security for their very sustenance, we should pass that benefit, that promise of America on to our children's generation and all generations to come. That is not an easy challenge, as we are going to talk about in the time I have had allotted to me tonight.

Now, as I said at the beginning, at the outset, President Bush seems to get a tremendous amount of credit these days for bringing this to our attention. If the truth be known, President Bush was not the first one to point this out. In fact, if we go back to the very beginning, Franklin Roosevelt himself, often called the Father of Social Security, told us then that the plan put in place, the plan we are still on, was but a starting point, was but a beginning; that it would not be sustainable, nor adequate, forever; that at some point in the future, he even used the word ''annuity,'' an annuity would have to be created, a prefunded liability, a prefunded liability set aside to augment Social Security, because Social Security was never going to be adequate for the entire challenge in front of us.

Now, in addition, and much more recently than Franklin Roosevelt, our last President, the 42nd President of the United States, Bill Clinton, recognized the challenge in front of us and the obligation in front of us to reform Social Security. Now, President Clinton, as this poster to my left says, President Clinton in his State of the Union address in January 1998 said: ''We will hold a White House conference on Social Security in December. And one year from now, we will convene the leaders of Congress to craft historic, bipartisan legislation to achieve a landmark for our generation: a Social Security system that is strong in the 21st century.'' Bill Clinton.

President Clinton appointed that commission, and it was headed by Democrat Senator Daniel Patrick Moynihan.

President Clinton, just a month later, in February of 1998 also had these words to say at an address at nearby Georgetown University: So that all of these achievements, these achievements meaning the economic achievements, our increasing social coherence and cohesion, our increasing efforts to reduce poverty among our youngest children, all of them, all of them are threatened by the looming fiscal crisis in Social Security. President Clinton said that.

Now, recently, very recently, President Bush has been attacked for even suggesting that there is a problem, perhaps even a crisis with Social Security. I submit to my colleagues again that President Clinton certainly thought that there was, and I say to my colleagues I certainly think that there is as well. We will talk about that in the next little while.